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Attorneys for Defendant CAPITAL ONE  
AUTO FINANCE, A DIVISION OF  
CAPITAL ONE, N.A. (erroneously named  
as CAPITAL ONE, NATIONAL ASSOCIATION)

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

## ELNORA NEWKIRK,

**Plaintiff,**

V.

EXPERIAN INFORMATION  
SOLUTIONS, INC.; EQUIFAX, INC.;  
CAPITAL ONE, NATIONAL  
ASSOCIATION AND DOES 1  
THROUGH 100  
INCLUSIVE,

## Defendants.

Case 4:16-cv-05691-SBA  
*Hon. Saundra Brown Armstrong*

**STIPULATED REQUEST FOR  
DISMISSAL OF DEFENDANT  
CAPITAL ONE AUTO FINANCE, A  
DIVISION OF CAPITAL ONE, N.A.;  
ORDER**

Complaint served: October 13, 2016

New

1                   **TO THE COURT, CLERK OF COURT, AND ALL PARTIES:**

2                   **IT IS HEREBY STIPULATED** by and between plaintiff Elnora Newkirk and  
3 defendant Capital One Auto Finance, a Division of Capital One, N.A., erroneously  
4 sued as “Capital One, National Association” (“Capital One”), that Capital One be  
5 dismissed from this action with prejudice pursuant to Federal Rule of Civil Procedure  
6 41(a)(2), and that each party shall bear its own attorneys’ fees and costs.

7

8 DATED: February 17, 2017

**SAGARIA LAW, P.C.**

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By: /s/ Elliot W. Gale

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Elliot W. Gale

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Attorneys for Plaintiff

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ELNORA NEWKIRK

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DATED: February 17, 2017

**DOLL AMIR & ELEY LLP**

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By: /s/ Hunter R. Eley

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Hunter R. Eley

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Attorneys for Defendant

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CAPITAL ONE AUTO FINANCE, A  
DIVISION OF CAPITAL ONE, N.A.

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I, Hunter R. Eley, am the ECF user whose identification and password are being  
used to file this Stipulation. I hereby attest that Elliot Gale has concurred in this filing.

/s/ Hunter R. Eley

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**ORDER**

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Pursuant to the stipulation of the Parties, Capital One is dismissed with  
prejudice.

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**IT IS SO ORDERED.**

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DATED: February 17, 2017

  
Sandra B. Armstrong

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UNITED STATES DISTRICT JUDGE

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